

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FLASHPOINT TECHNOLOGY, INC.,

Plaintiff,

V.

C.A. No. 08-139-GMS

APITEK, INC., ARGUS CAMERA CO., LLC,
BUSHNELL INC., DXG TECHNOLOGY (U.S.A.)
INC., DXG TECHNOLOGY CORP., GENERAL
ELECTRIC CO., LEICA CAMERA AG, LEICA
CAMERA INC., MINOX GMBH, MINOX USA, INC.,
MUSTEK, INC. USA, MUSTEK, INC., OREGON
SCIENTIFIC, INC., POLAROID CORP., RITZ
INTERACTIVE, INC., RITZ CAMERA CENTERS,
INC., SAKAR INTERNATIONAL, INC., D/B/A
DIGITAL CONCEPTS, TABATA U.S.A., INC., D/B/A
SEA & SEA, TARGET CORP., VISTAQUEST CORP.,
VUPOINT SOLUTIONS, INC., WALGREEN CO., and
WAL-MART STORES, INC.,

Defendants

AFFIDAVIT OF MAILING PURSUANT TO LOCAL RULE 4.1(b)

[illegible]

I, Evan O. Williford, being duly sworn, depose and say:

1. I am an attorney with the law firm of Bouchard Margules & Friedlander, P.A., counsel to FlashPoint Technology, Inc., plaintiff in the above-captioned action; I am duly authorized to make this affidavit on plaintiff's behalf and to represent the facts set forth herein.

2. Pursuant to 10 *Del. C.* § 3104, on March 11, 2008, plaintiff served the Secretary of State of the State of Delaware with a summons and a copy of the complaint

filed in the above-captioned action (the "Complaint") with respect to defendant Tabata U.S.A. Inc. d/b/a Sea & Sea ("Tabata").

3. On March 11, 2008, a letter was sent by registered mail, return receipt requested, stating the information required by 10 *Del. C.* § 3104(d) and attaching a summons and Complaint, to Tabata at the address listed below:

Tabata U.S.A. Inc.
d/b/a Sea & Sea
2380 Mira Mar Avenue
Long Beach, CA 90815

4. An agent of Tabata received and accepted the summons and Complaint on March 20, 2008, as evidenced by the return postal receipt attached hereto as Tab 1.



Evan O. Williford (Bar No. 4162)

SWORN TO AND SUBSCRIBED before me
this 25th day of March, 2008.


Notary Public

JENNIFER SPEAKMAN
NOTARY PUBLIC
STATE OF DELAWARE
My commission expires Oct. 16, 2009

TAB 1

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tabata U.S.A. Inc.
 albla Sea & Sea
 2380 Mira Mar Avenue
 Long Beach, CA 90815

2. Article Number
(Transfer from service label)

RE 338 479 920 US

PS Form 3811, February 2004

Domestic Return Receipt

102005-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x  ☐ Agent
☐ Addressee

B. Received by (Printed Name)

F. Barajas

C. Date of Delivery

3/22/08

- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail
☒ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

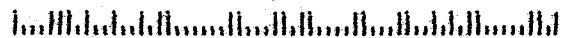
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Bouchard Margules & Friedlander
222 Delaware Avenue
Suite 1400
Wilmington, DE 19801
Attn: Evan O. Williford



CERTIFICATE OF SERVICE

I, Evan O. Williford, hereby certify that on March 25, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Affidavit of Mailing Pursuant to Local Rule 4.1(b)** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following counsel of record:

Richard K. Herrmann, Esquire
Morris James LLP
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Attorney for Defendant Bushnell, Inc.

I further certify that on March 25, 2008, I caused a copy of the foregoing document to be served on the following defendants by First Class Mail:

Aiptek, Inc.
51 Discovery
Suite 100
Irvine, CA 92618

Ritz Interactive Inc.
2010 Main Street
Suite 400
Irvine, CA 92614

Argus Camera Company LLC
1610 Colonial Parkway
Inverness, IL 60067

Sakar International Inc.
D/B/A Digital Concepts
195 Carter Drive
Edison, NJ 08817

DXG Technology (U.S.A.) Inc.
1001 Lawson Street
City of Industry, CA 91748

Tabata U.S.A. Inc.
D/B/A Sea & Sea
2380 Mira Mar Avenue
Long Beach, CA 90815

General Electric Company
3135 Easton Turnpike
Fairfield, CT 06431

Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403

Leica Camera Inc.
156 Ludlow Avenue
Northvale, NJ 07647

VistaQuest Corporation
6303 Owensmouth Avenue
10th Floor
Woodland Hills, CA 91367

Minox USA Inc.
438 Willow Brook Road
Plainfield, NH 03781

VuPoint Solutions Inc.
17583 Railroad Street
City of Industry, CA 91748

Mustek, Inc. USA
15271 Barranca Parkway
Irvine, CA 92618

Walgreen Co.
200 Wilmot Road
Deerfield, IL 60015

Oregon Scientific, Inc.
19861 Southwest 95th Avenue
Tualatin, OR 97062

Wal-mart Stores, Inc.
702 Southwest 8th Street
Bentonville, AK 72716

Polaroid Corporation
1265 Main Street
Waltham, MA 10022

Ritz Camera Centers, Inc.
6711 Ritz Way
Beltsville, MD 20705

/s/ Evan O. Williford

David J. Margules (I.D. No. 2254)
Evan O. Williford (I.D. No. 4162)
BOUCHARD MARGULES & FRIEDLANDER, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, Delaware 19801
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ewilliford@bmf-law.com

Attorneys for plaintiff Flashpoint Technology, Inc.